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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
TRUONG, DENNIS				
ART UNIT		PAPER NUMBER		
2169				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com

oblonpat@oblon.com

jgardner@oblon.com

Office Action Summary

Application No.

10/573,418

Applicant(s)

IWATSU ET AL.

Examiner

DENNIS TRUONG

Art Unit

2169

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Action is responsive to Applicant's Amendments filed February 15, 2008.

Response to Amendment

2. It is acknowledged that claims 1-13 have been amended. And claim 14 has been added.
3. Claims 1-14 are pending.

Response to Arguments

4. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Specification

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 13 recite the limitation "computer-readable medium". Applicant fails to specifically define "computer-readable medium" in the Specifications. Appropriate correction is required.

Claim Rejections - 35 USC § 101

6. Claim 13 refers to "computer -readable medium", the claim fails to place the invention squarely within one statutory class of invention. Applicant fails to specifically define computer-readable medium in the Specifications therefore one skilled in the art can interpret the claim as be drawn to forms of energy, such as waves or any form of propagation. Energy is not one of the four categories of invention and therefore this claim(s) is/are not statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article or object and as such is

not a machine or manufacture. Energy is not a combination of substances and therefor not a composition of matter.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 1, 2, 11-14** rejected under 35 U.S.C. 102(e) as being anticipated by **Craig et al.** (US 6757708 B1) (herein referenced as **Craig**).

As per claim 1, Craig discloses:

- **means for transmitting a request for a page information to said external apparatus,** at least by (col. 11 lines 16-17, Fig. 4) “A request 405 for dynamic generated content is received at Web server 410”, where the request and receiving of the content is transmitting, and the web server is the external apparatus.
- **means for receiving said page information, wherein the page information includes an identification information corresponding to a content data, and receiving said content data corresponding to said identification information included in said page information,** at least by (col. 11 lines 17-21) where it is disclosed that the received request via HTTP is forwarded to a web application server that supports JSPs and servlets, then the “request is then passed to a servlet 420 corresponding to the invoked JSP, where this servlet 420 uses a bean 425”. It is known in the art and further disclosed

in (col. 12-13) that beans refers to the dynamic content that is generated and the status of the beans by the methods defined within the bean so the disclosed bean and the methods related to versions ("serialVersionUID") and cached information ("amIICached") bean etc., are the identification information corresponding to the content data.

- **means for storing said content data received by said means for receiving, based on said identification information independently of said page information**, at least by (fig. 6-9) discloses the process of caching based on the condition of the bean and whether it has been cached or out of date. This is done independently of the page information because the "executed methods" pertaining to the identification information are defined within the bean.
- **means for outputting the said content data along with said page information**, at least by (Fig. 3A ref. 310b, col. 9 lines 38-40) "FIG. 3B shows that the JSP 355 sets and gets 360, 361 information from each bean 365, 366, where this information may be a result of the bean retrieving 370, 371 information from the data store 375, 376. Once the dynamically generated response is complete, it is returned 310b from the JSP 355 to the browser 305."
- **means for detecting whether said content data corresponding to said identification information acquisition request is stored in said means for storing**, at least by (Fig. 6 ref 600), **and for controlling said means for outputting to output said content data stored by said means for storing when said content data is stored in said means for storing**, at least by (Fig. 8 ref. 815) where further more the generated response is returned to the browser (Fig. 3A ref. 310b), **and controlling said means for receiving to receive**

by said content data from the external apparatus and when said content data is not stored in said means for storing said content data is acquired from said external apparatus via said transmission reception means, at least by (Fig. 9)

As per claim 2, claim 14 is incorporated and further Craig discloses:

- **wherein said controller stores in said memory the content data corresponding to the content data acquisition request included in said page information, at least by (Fig. 6 ref 600) and further (Fig. 4 ref 430) is claimed memory.**

Claim 12 is an information reproduction method corresponding to the apparatus claim 1, and is rejected under the same reason set forth in connection to rejection of claim 1 above.

Claim 13 is a program product claim corresponding to the apparatus claim 1, and is rejected under the same reason set forth in connection to rejection of claim 1 above. Where **Craig** further discloses the program product stored upon a computer readable medium to be processed, at least by (Claim 35).

Claim 14 is an information reproduction apparatus corresponding to the apparatus claim 1, and is rejected under the same reason set forth in connection to rejection of claim 1 above. Where **Craig** further discloses the apparatus as (Fig. 1 and Fig. 2) which is used to provide the means that has been disclosed in claim 1.

As per claim 11, claim 14 is incorporated and further Craig fails to specifically disclose:

- **wherein: the page information received by said receiver includes said content data acquisition request and Uniform Resource Locator (URL), at least by (Fig. 4 Ref. 405) it should be understood the an HTTP req includes a url. And at least by (col. 11 lines 17-21) where it is disclosed that the received request via HTTP is forwarded to a**

web application server that supports JSPs and servlets, then the “request is then passed to a servlet 420 corresponding to the invoked JSP, where this servlet 420 uses a bean 425”, where the bean is the content data being requested.

- **and said controller accesses, when the content data corresponding to said content data acquisition request is not stored in said memory, said URL to acquire said content data from said external apparatus,** at least by (Fig. 7 Ref 715 and 725) shows the instance where the bean is not cached the “CS returns NULL to EM” which lead to the determination of caching in (Fig.9).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3- 10 rejected under 35 U.S.C. 103(a) as being unpatentable over **Craig** in view of **Tso et al. (US 681298 B1)** (herein referenced as **Tso**).

As per claim 3, claim 2 is incorporated and further **Craig** fails to specifically disclose:

- **wherein said controller stores in said memory an image data associated with page information of a portal site.**

However, **Tso** teaches the above limitations at least by (col. 3 lines 62-63), as “Cache items include web pages or HTML documents that include HTML text plus **images**, audio.”

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention made to incorporate the teaching of **Tso** into the teaching of **Craig** because one of the

ordinary skill in the art would have been motivated to use such a modification for the purpose of being able to cache media that requires more bandwidth and resources for improved browsing and accessibility.

As per claim 4, claim 2 is incorporated and further Craig fails to specifically disclose:

- **wherein said controller stores in said memory a sound data associated with page information of a portal site.**

However, **Tso** teaches the above limitations at least by (col. 3 lines 62-63), as “Cache items include web pages or HTML documents that include HTML text plus images, **audio**.”

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention made to incorporate the teaching of **Tso** into the teaching of **Craig** because one of the ordinary skill in the art would have been motivated to use such a modification for the purpose of being able to cache media that requires more bandwidth and resources for improved browsing and accessibility.

As per claim 5, claim 14 is incorporated and further Craig fails to specifically disclose:

- **wherein said controller stores in said memory the content data that has been accessed more than a certain number of times.**

However, **Tso** teaches the above limitations at least by (Fig. 7A, Ref. 410) shows the cache with a count of number “times used.”

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention made to incorporate the teaching of **Tso** into the teaching of **Craig** because one of the ordinary skill in the art would have been motivated to use such a modification for the purpose of filtering out the least viewed content to optimize the usage of memory and resources.

As per claim 6, claim 14 is incorporated and further Craig fails to specifically disclose:

- **wherein said controller removes from said storage means memory the content data that has been infrequently accessed.**

However, Tso teaches the above limitations at least by (col. 5 lines 4-8), as “control deletes the web page with the lowest removal factor and returns to step 252. Control also preferably removes web pages that were preloaded when the deleted web page was initially loaded.”

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention made to incorporate the teaching of Tso into the teaching of Craig because one of the ordinary skill in the art would have been motivated to use such a modification for the purpose of filtering out the least viewed content to optimize the usage of memory and resources.

As per claim 7, claim 6 is incorporated and further Craig fails to specifically disclose:

- **wherein said controller registers in said memory an indicator showing importance of said content data along with said content data, and prevents said content data from being removed based on said indicator of said content data regardless of a frequency of playback access of said content data.**

However, Tso teaches the above limitations at least by (col. 5 lines 4-5) as “control deletes the web page with the lowest removal factor and returns to step 252” where removal factor is based on (col. 7 lines 65 – col. 8 lines 3) “function F that depends on one or more of the usage and/or data type factors for each cache item” where because the removal factor is based on one or more of the usage and/or data type the removal of the item can be prevented regardless of the frequency of the page accessed.

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention made to incorporate the teaching of **Tso** into the teaching of **Craig** because one of the ordinary skill in the art would have been motivated to use such a modification for the purpose of allowing the ability to define a preference in what the user wants cached which allows more freedom and customization in how the memory and resources should be used.

As per claim 8, claim 14 is incorporated and further Craig fails to specifically disclose:

- **wherein, when said controller receives compressed content data from said external apparatus, said controller registers in said memory said content data in uncompressed format.**

However, **Tso** teaches the above limitations at least by (col. 6 lines 23-24), as “indicates whether the cache item is compressed (“C”) or decompressed (“D”),” which shows that both compress and uncompressed data can be stored.

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention made to incorporate the teaching of **Tso** into the teaching of **Craig** because one of the ordinary skill in the art would have been motivated to use such a modification for the purpose of storing the content in its original form which then improves the content retrieval time.

As per claim 9, claim 8 is incorporated and further Craig fails to specifically disclose:

- **wherein, when said controller receives the compressed content data with a certain attribute, said controller registers in said memory said content data in uncompressed format.**

However, **Tso** teaches the above limitations at least by (col. 6 lines 23-24), as “indicates whether the cache item is compressed (“C”) or decompressed (“D”),” where (“C”) and (“D”) are claimed attribute.

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention made to incorporate the teaching of **Tso** into the teaching of **Craig** because one of the ordinary skill in the art would have been motivated to use such a modification for the purpose of storing the content in its original form which then improves the content retrieval time.

As per claim 10, claim 14 is incorporated and further Craig fails to specifically disclose:

- **wherein: said receiver includes a content reproduction unit configured to reproduce the content data received; and said controller converts the content data received from said external apparatus into a compression format corresponding to characteristics of said content reproduction means unit, and then stores said content data in said memory.**

However, **Tso** teaches the above limitations at least by (col. 4 lines 29), as “control continues with step 212. Control outputs the web page to the display 30 and continues with step 204” and (col. 4 lines 44-45) as ,” control stores the web page in cache and outputs the web page to the display 30 in step 256” show reproducing stored content and (col. 6 lines 23-24), as “indicates whether the cache item is compressed (“C”) or decompressed (“D”) show the ability to reproduce compressed data.

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention made to incorporate the teaching of **Tso** into the teaching of **Craig** because one of the

ordinary skill in the art would have been motivated to use such a modification for the purpose of optimizing the storage space by storing the compressed data.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS TRUONG whose telephone number is (571)270-3157. The examiner can normally be reached on MON - FRI: 7:30 - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MOHAMMAD Ali can be reached on (571) 272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis Truong/
Examiner, Art Unit 2169

*/Jean M Corrielus/
Primary Examiner, Art Unit 2162*